

Senator Guinn offered the following as a substitute for the resolution :

Resolved, That the extra clerks of the Senate shall, from and after this day, have five dollars per day, and those employed by the Secretary of the Senate shall have the amount agreed to be paid them by the Secretary, (not exceeding eight dollars per day,) and that pages shall have two dollars per day, and porters two dollars per day.

Substitute adopted.

Question recurring upon the adoption of the resolution, resolution adopted.

Senator Shannon made the following report which, upon motion of Senator Guinn, was taken up and adopted.

Hon. Geo. W. Jones, President of the Senate, and Hon. N. M. Burford, Speaker of the House of Representatives :

The Committee of Conference, to whom was referred the Senate bill to "define the western boundary line of Ellis county, and the boundary lines of Johnson, Erath and Palo Pinto counties," have had the same under consideration, and a majority of said Committee instruct us to report in favor of the concurrence by the Senate in the House amendment, and the Committee would further recommend that the caption be so amended as to read as follows :

"An Act to define the boundary lines of Palo Pinto, Erath and Johnson counties."

All of which is respectfully submitted.

W. R. SHANNON,
Chairman on part of Senate.

L. D. BRADEY,
Chairman on part of House.

Upon motion of Senator Foscue, the Senate adjourned until to-morrow morning, 9½ o'clock.

SENATE CHAMBER, }
Oct. 24, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Upon motion of Senator Voigt, Senator Truitt was excused for one week, on account of sickness.

Upon motion of Senator Shelley, the Sergeant-at-arms was excused from attendance upon the Senate to-day.

Senator Foscue, Chairman of Committee on Education, reports and recommends the passage of an accompanying substitute in lieu of an original bill making a donation of land to disabled Confederate soldiers belonging to Texas regiments.

Senator Truitt reports and recommends the passage of a bill for the relief of the heirs of Anson Jones.

Senator Neyland, one of the Committee on Private Land Claims, reports and recommends the passage of a House bill for the relief of Milton M. Justice.

Also reports and recommends the passage of House bill for the relief of the heirs of John Fitzgibbons and others.

COMMITTEE ROOM, }
Oct. 24, 1866. }

Hon. G. W. Jones, President of the Senate :

The Committee on Enrolled Bills have examined the following, to-wit:

"An act to regulate the estraying of stock in the State of Texas."

Also, "An act to organize the County Courts, and to define the powers and jurisdiction thereof," and find the same correctly enrolled and properly signed, and have presented the same to the Governor for his approval.

F. J. PARKER,

Chairman Committee on Enrolled Bills.

Senator Yarbrow made the following report:

To Hon. G. W. Jones, President Senate:

The Committee on Commerce and Manufactures, to whom was referred a House bill entitled "An act to incorporate the Young Men's Real Estate and Building Association, have examined the same, and a majority of the Committee have instructed me to report the bill back to the Senate with the following amendment:

Add section 9—"Service of any and all legal proceedings in any suit or proceedings against said company shall be sufficient if made upon the President or Secretary of the Board of Directors."

Make section 9 section 10, and when so amended recommend its passage.

J. C. YARBROW, Chairman.

Senator Reed, Chairman of Committee on Roads, Bridges and Ferries, reports and recommends the passage of a bill to regulate the erection of bridges in Collin county, and extend the time for the building of the same.

Senator Coppedge made the following report:

Hon. G. W. Jones, President of Senate :

The Committee on Counties and County Boundaries, to whom was referred a House bill to be entitled "An act to extend the limits of Blanco county, and to define the line between Blanco and Burnet counties," together with sundry petitions from citizens of both counties, favoring and protesting against the change of county limits, have had the same under consideration, and a majority of the Committee respectfully beg leave to report that we have carefully considered the merits of the petitions in all their relative bearings, and having examined the map of the counties, and having fully acquainted ourselves with the geography of that section sought to be affected by the change in boundary line and limits, and the difficulty of crossing the Colorado river at many seasons of the year, besides many inconveniences the petitioners labor under in their isolated condition, believe their prayer should be granted. We, therefore, return the bill to the Senate, and recommend its passage.

C. C. COPPEDGE, Chairman.

As one of the Committee, I beg leave to disagree with the majority, believing, from the evidence before the Committee, that the bill should not pass.

J. C. YARBRO, one of Committee.

Senator Stell, Chairman of Committee on State Affairs, reports and recommends the passage of a House bill to amend the charter of the city of Austin.

Also reports and recommends the passage of a House bill to amend the 9th section of "An Act to incorporate the city of Lavaca."

Senator Brown introduced a bill to be entitled "An Act to regulate the issuing, execution and return of writs and process in this State."

Read first time, and referred to Judiciary Committee.

Upon motion of Senator Stell, rule was suspended, and House bill to amend the charter of the city of Austin, was taken up, read second time, and ordered to a third reading; rule further suspended, bill read third time and passed.

Upon motion of Senator Shelley, a House bill to amend the 9th section of "An Act to incorporate the city of Lavaca," was taken up, read second time, and passed to a third reading; rule further suspended, bill read third time and passed.

Senator Selman, Chairman of Committee on Public Lands, reports and recommends the passage of a bill to authorize District Surveyors to survey lands in other districts, in certain cases.

Upon motion of Senator Burney, the bill and report were taken up.

Bill read second time, and ordered to be engrossed; rule further suspended; bill read third time and passed.

Upon motion of Senator Sausley, a bill to incorporate the Caddo Lake Manufacturing Company, with amendments, recommended by the Committee on Commerce and Manufactures, were taken up, and amendments made.

Bill read second time, and ordered to be engrossed; rule further suspended, bill read third time, and passed by the following two-third vote:

YEAS—Senators Braswell, Blount, Boyd, Brown, Bumpass, Burney, Cook, Cooley, Coppedge, Guinn, Jowers, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Reed, Sausley, Selman, Shelley, Stell, Voigt and Yarbrow—25.

NAYS—None.

Upon motion of Senator Braswell, rule suspended, and a bill to incorporate the Waco and Fort Belknap Railroad Company, with amendments recommended by the Committee on Internal Improvements, was taken up, and amendments made.

Bill, as amended, read second time, and ordered to be engrossed; rule further suspended, bill read third time, and passed by the following two-third vote:

YEAS—Senators Braswell, Boyd, Brown, Burney, Cook, Cooley, Coppedge, Guinn, Jowers, Littleton, McDade, Neyland, Parker, Randolph, Reed, Sausley, Selman, Shannon, Shelley, Stell, Voigt and Yarbrow—22.

NAYS—None.

ORDERS OF THE DAY.

House bill to incorporate the east fork of Trinity Bridge Company, was taken up, read second time, and ordered to a third reading; rule suspended, bill read third time, and passed by the following two-third vote:

YEAS—Senators Braswell, Blount, Boyd, Brown, Bumpass, Burney, Cook, Cooley, Coppedge, Guinn, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Reed, Sausley, Shannon, Shelley, Voigt and Yarbrow—23.

NAYS—None.

Upon motion of Senator McDade, the following House bills were taken up, read, and action had thereon as indicated:

House bill supplemental to "An Act to organize the Air Line Railroad Company," approved Jan. 30th, 1860, was taken up,

read second time, and passed to a third reading; rule suspended, bill read third time, and passed by the following two-third vote:

YEAS—Senators Braswell, Blount, Boyd, Burney, Cook, Coppedge, Dalrymple, Guinn, Jowers, Knox, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Reed, Saufley, Shannon, Shelley, Voigt and Yarbrow—23.

NAYS—None.

House bill to give a lien on the crop and stock for advances to assist in making the crop, was taken up, read second time, and passed to a third reading; rule suspended, bill read third time and passed.

House bill to incorporate the Bastrop Casino Association, was taken up, read second time, and passed to a third reading; rule suspended, bill read third time, and passed by the following two-third vote:

YEAS—Senators Braswell, Blount, Boyd, Bumpass, Burney, Cooley, Coppedge, Dalrymple, Guinn, Jowers, Knox, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Saufley, Shannon, Shelley, Voigt and Yarbrow—23.

NAYS—None.

House bill to promote internal improvements, read first time, and referred to Committee on Internal Improvements.

House bill to provide for the publication of the decisions of the Supreme Court, and the appointment of a Reporter thereof, read first time, and referred to Committee on the Judiciary.

House bill regulating appeals from Justices' Courts.

Read first time and referred to Judiciary Committee.

House bill supplemental to an act to incorporate the Sabine and Galveston Canal and Slack-water Navigation Company, was taken up, read second time and passed to a third reading; rule suspended, bill read third time and passed by the following two-third vote:

YEAS—Senators Braswell, Blount, Boyd, Brown, Bumpass, Burney, Cook, Coppedge, Dalrymple, Guinn, Jowers, Knox, Littleton, McDade, Nelson, Neyland, Randolph, Record, Saufley, Shannon, Shelley, Stell, Voigt and Yarbrow—24.

NAYS—None.

Senator Knox introduced a bill to be entitled "An Act to incorporate the American Industrial Insurance Agency.

Read first time and referred to Committee on Commerce and Manufactures.

Upon motion of Senator Boyd, a House bill for the relief of C. M. Winkler was taken up, read second time and passed to a

third reading; rule further suspended, bill read third time and passed.

Upon motion of Senator Bumpass, a bill to regulate the erection of bridges in Collin county and extend the time for the building of the same, was taken up, read second time and ordered to be engrossed; rule further suspended, bill read third time and passed.

A bill to provide for the manufacture of iron by the State, on its third reading, was taken up, upon the question of its final passage.

Senator Bumpass moved a call of the Senate.

Call sustained.

Pending the call of the Senate, Senator Neyland made the following report :

Hon. Geo. W. Jones, President of the Senate :

The Committee on Engrossed Bills have examined and find correctly engrossed a bill to be entitled "An Act to incorporate the Corpus Christi Coal and Petroleum Railroad Company."

W. M. NEYLAND,

Chairman of Com. on Eng'd Bills.

House bill to incorporate the Mount Pleasant Male and Female Academy, was taken up.

Senator Shelley moved to amend as follows :

Insert after the word "confer" the word "such," and after the word "degrees" the words "as is usually conferred by institutions of similar grade."

Amendments made.

Bill as amended read second time and passed to a third reading; rule suspended, bill read third time and passed by the following two-third vote :

YEAS—Senators Braswell, Blount, Boyd, Brown, Bumpass, Burney, Cook, Cooley, Coppedge, Dalrymple, Foscue, Guinn, Jowers, Knox, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Record, Reed, Saufley, Selman, Shannon, Shelley, Stell, Voigt and Yarbrow—29.

NAYS—None.

The Senate being full, the Senate resumed the consideration of the bill to provide for the manufacture of iron by the State.

The question being the final passage of the bill; the yeas and nays were demanded and stood :

YEAS—Senators Braswell, Boyd, Brown, Burney, Coppedge, Guinn, Jowers, Knox, McDade, Nelson, Neyland, Record, Saufley, Shannon, Stell and Voigt—16.

NAYS—Senators Blount, Bumpass, Cook, Cooley, Dalrymple,

Littleton, Parker, Randolph, Reed, Selman, Shelley, and Yarbrow—12.

The President *pro tem.* announced that the bill had passed.

Senator Shelley appealed from the decision of the Chair, making the point that the bill was of that class which came under sections 8th and 33d of article 7 of the Gen'l Provisions of the Constitution, and that it required a two-third vote to pass it.

The yeas and nays were called upon the question of appeal and the Senate refused to sustain the Chair by the following vote :

YEAS—Senators Braswell, Boyd, Brown, Burney, Coppedge, Jowers, Knox, Littleton, McDade, Neyland, Record, Sanfley and Voigt—13.

NAYS—Senators Blount, Bumpass, Cook, Cooley, Dalrymple, Foscue, Nelson, Parker, Randolph, Reed, Selman, Shelley, Stell and Yarbrow—14.

Whereupon the President *pro tem.* announced that the bill was lost.

A message was received from the House announcing that Messrs. Kyle and Shaw, had been added to the Committee of Conference on the part of the House, on the disagreement of the two Houses, on a bill for the relief of debtors in certain cases.

The message announced that the House had adopted the report of the Committee of Conference, on the disagreement of the two Houses, on a bill defining the boundary lines of Ellis county.

And that the House had passed the following bills:

House bill supplementary to, and amendatory of an act to incorporate the Jacksonville and Neches Bridge Company, approved, January 26th, 1860.

House bill to incorporate the Chambers Creek Bridge Company.

House bill making an additional appropriation to defray the contingent expenses of the 11th Legislature.

House bill to incorporate the Rock Creek Bridge and Turnpike Company.

House bill for the relief of pre-emption settlers, and to extend the time for the return of the field notes, and to extend the time for the payment of all dues by settlers under the acts authorizing the sale of the public domain.

Senate bill to confirm the grants of land to the Washington County Railroad Company.

Senate bill to incorporate the Gonzales Manufacturing Company.

Senate bill to authorize the Financial Agent of the Penitentiary, to appoint a person to examine the books and papers of that Institution, and report thereon, and for other purposes, with amendments by the House.

House bill to incorporate the Greenville Male and Female Academy, on its second reading, taken up, and read second time and passed to a third reading; rule suspended, read third time and passed by the following two-thirds vote:

YEAS.—Senators Blount, Boyd, Brown, Burney, Cook, Coppidge, Dalrymple, Jowers, Knox, McDade, Nelson, Neyland, Parker, Randolph, Record, Saufley, Selman, Shelley, Stell, and Voigt—21.

NAYS.—Senator Cooley—1.

Senator Stell, Chairman of Committee on State Affairs, made the following report:

COMMITTEE ROOM,
October, 24, 1866.

Hon. G. W. Jones, President of the Senate:

The Committee on State Affairs, to whom was referred Joint Resolution recommending the appointment of State Geologist, and for other purposes. Have considered the same, and a majority have instructed me to say that the 1st and 2nd sections should be passed, but that the 3rd section providing for the sending specimens of the mineral and agricultural wealth and industrial resources to the great exhibition to be held at Paris, A. D. 1867, and appropriating two thousand dollars, or so much as may be necessary for said purpose, they think should be stricken from the resolution; not that they would be understood as opposed to having our great State and her inexhaustible resources made known to the world, but your committee think that there is not now sufficient time for the appointment of the Geologist, and the collection of good and fair specimens, and forwarding them to Paris, in time for the great exhibition; hence they recommend that the 3rd section be stricken out, and thus amended that the resolution pass.

J. W. STELL, Chairman.

Adopted.

Upon motion of Senator Stell, the resolution and report were taken up; the amendments recommended by the Committee were adopted.

Senator Shelley moved to add the following:

Section 3rd That these resolutions take effect from their passage.

Amendment made.

Resolutions as amended, read second time and passed to a third reading; rule suspended, read third time and passed.

House bill amendatory of an act to adopt the Common Law of England, to repeal certain laws, and to regulate marital rights of parties; with the report of the Judiciary Committee, recommending that the bill be not passed, taken up, read and report adopted.

Senate bill for the relief of the clerks of the District Courts of this State, with report of Judiciary Committee, recommending that the bill be not passed, taken up, read and upon motion of Senator Cook, bill and report laid upon the table.

Senate bill supplemental to and amendatory of an act entitled an act to regulate proceedings in the District Courts, approved May 13th, 1846, with report of the Judiciary Committee, recommending that the bill be not passed, was taken up, and upon motion of Senator Shelley, bill and report were laid upon the table.

House bill to extend for twenty years, the provisions of an act to incorporate Protection Fire Company No. 1, in the city of Houston, approved January 20th, 1848, on its second reading, taken up, read and passed to a third reading.

Rule suspended, read third time and passed by the following two-thirds vote:

YEAS—Senators Braswell, Blount, Boyd, Brown, Burney, Cook, Cooley, Coppedge, Dalrymple, Guinn, Jowers, Knox, Littleton, McDade, Nelson, Neyland, Parker, Randolph, Reed, Selman, Shelley, Stell, Voigt and Yarbrow—24.

NAYS—Senator Foscoe—1.

On motion of Senator Parker, House bill to provide for the Tonkawa Indians, with report of Committee on Indian Affairs, recommending certain amendments, was taken up, and amendments made.

Senator Bumpass moved to strike out "three thousand dollars," and insert "one thousand."

On motion of Senator Record, the amendment was laid on the table.

Senator Bumpass moved to strike out "three thousand dollars," and insert "two thousand."

On motion of Senator Record, the amendment was laid on the table.

Bill read second time, and the yeas and nays being called, was ordered to a third reading by the following vote :

YEAS—Senators Braswell, Blount, Brown, Burney, Cook, Cooley, Coppedge, Dalrymple, Knox, Littleton, McDade, Neyland, Randolph, Record, Shannon, Shelley, Voigt and Yarbro—18.

NAYS—Senators Boyd, Bumpass, Foscue, Guinn, Jowers, Nelson, Reed, Saufley and Selman—9.

House bill to amend an act to organize Justices' Courts, passed March 20th, 1848, was taken up.

Senator Shelley moved to amend as follows :

Amend section 1, by striking out the words and figures "article 1139, Oldham & White's Digest," and insert "section 64."

Amendments made.

Bill as amended read second time and passed to a third reading, rule suspended, bill read third time and passed.

Bill to repeal article 1703, section 10, and article 1704, section 11, Oldham & White's Digest, civil statutes, with report of Judiciary Committee recommending adoption of a substitute, was taken up.

Substitute adopted.

Bill read second time and ordered to be engrossed ; rule suspended, bill read third time and passed.

Senate bill to amend article 545, chapter 1, title 4 of an act to establish a code of criminal procedure, approved August 26th, 1856, was taken up, read second time and ordered to be engrossed.

Rule suspended, bill read third time and passed.

Senator Neyland made the following report :

COMMITTEE ROOM,
Austin, Oct. 24, 1866. }

Hon. G. W. Jones, President of the Senate :

The Committee on Engrossed Bills have examined and find correctly engrossed,

"A Bill to be entitled an act to authorize District Surveyors to survey land in other districts, in certain cases."

Respectfully submitted.

W. M. NEYLAND,

Chairman Committee on Engrossed Bills.

Senate bill to incorporate the Fredericksburg Action Mill Company was taken up, read second time, and ordered to be engrossed ; rule suspended, bill read third time and passed by the following two-third vote :

YEAS—Senators Braswell, Blount, Boyd, Brown, Bumpass, Burney, Cooley, Coppedge, Foscue, Guinn, Jowers, Knox, Mc-

Dade, Nelson, Neyland, Parker, Randolph, Reed, Saufley, Selman, Shelley, Stell, Voigt and Yarbrow—24.

NAYS—None.

House bill to amend the 57th section of an act entitled an act to regulate the proceedings in the County Courts, pertaining to relatives of deceased persons, passed March 20th, 1848, with report of Judiciary Committee, recommending that the Senate do not pass the bill, was taken up and report adopted.

House bill to authorize the disposition and sale of the University Lands, approved August 30th, 1856, with report of Committee on Public Lands, recommending certain amendments, taken up; and, upon motion of Senator Bumpass, made the special order for to-morrow, at 10 o'clock.

Senator Burney moved that Senate adjourn until to-morrow morning at 9 o'clock.

Motion lost.

Upon motion of Senator Selman, the Senate adjourned until this evening, at 7 o'clock.

SENATE CHAMBER, }
7 p. m., Oct. 24th, 1866. }

Senate met pursuant to adjournment.

Roll called—quorum present.

Upon motion of Senator Blount, rule was suspended, and a House bill to regulate the sale, alienation, &c., of animals in this State, and to require butchers to report to the Police Court all animals slaughtered, &c., on its second reading, was taken up and read; and, upon motion of Senator Littleton, further consideration of the bill was postponed, and made the special order for Friday, October 26th, at 11 o'clock.

Upon motion of Senator Cook, rule was suspended, and a House bill, establishing a General Apprentice Law, and defining the obligations of master or mistress and apprentice, on its second reading, taken up.

Senator Coppedge offered to amend the fourth section by inserting after the words "twenty-one years or until married," the words "if a female, which, on motion of Senator Littleton, was laid on the table.

Senator Nelson offered to amend section four, by inserting, after the word "marriage," in 2nd line, "that in all cases the written consent of master or mistress shall first be obtained, where the male is under twenty-one, and the female is under eighteen

years of age," which, on motion of Senator Littleton, was laid on the table.

Senator Yarbro offered to amend second section, eighth line, after the word "minors," by inserting the words, "and educate the same in the pursuits of industry," which, on motion of Senator Littleton, was laid on the table.

Senator Dalrymple moved to amend as follows :

Strike out "twenty-one," wherever it occurs in the bill, and insert "nineteen," which, on motion of Senator Littleton, was laid on the table.

Senator Guinn moved the previous question.

Motion sustained.

Main question ordered, bill read second time and passed to a third reading.

On motion of Senator Guinn rule suspended, bill read third time and passed.

Senator Neyland made the following report :

COMMITTEE ROOM. }
Austin, Oct., 14, 1866. }

Hon. G. W. Jones, President of the Senate :

The Committee on Engrossed Bills have examined and find correctly engrossed, the following bills :

A bill to be entitled "An Act to incorporate the Galveston and Eastern Texas Tap Railroad Company."

A bill to be entitled "An Act to authorize the Judges of the Supreme Court to make rules and regulations respecting the admission of Attorneys and Counsellors at Law."

And a bill to be entitled "An Act to amend Article 545, Chapter I, Title V, of an act entitled an act to establish a Code of Criminal Procedure," approved August 20th, 1866.

Respectfully submitted.

W. M. NEYLAND,

Chairman Committee Engrossed Bills.

Upon motion of Senator Foscue, rule was suspended, and a bill to authorize any county, city or town to become a stockholder in, or loan its credit to any company, corporation or association, with a substitute recommended by the Committee on Internal Improvements, was taken up and substitute adopted.

Senator Shelley moved to amend 10th section as follows :

"Strike out all after the word "collected," in the eighth line."

Senator Guinn moved a call of the House.

Call sustained.

Pending the call of the Senate, Senator Littleton moved to adjourn until to-morrow morning, 9 o'clock.

Motion lost.

Senate being full the call was suspended.

Question recurring upon the amendment offered by Senator Shelley, the amendment was made.

Senator Guinn moved to amend by striking out the words "one hundred," wherever they occur before the word "freeholders," and insert "fifty."

Motion lost.

Bill read second time and ordered to be engrossed.

Upon motion of Senator Shelley, rule was further suspended, read third time by caption, and passed by the following vote :

YEAS—Senators Brown, Burney, Coppedge, Dalrymple, Foscue, Guinn, Knox, Littleton, McDade, Neyland, Randolph, Reed, Saufley, Selman, Shelley and Yarbro—16.

NAYS—Senators Braswell, Blount, Bumpass, Cooley, Nelson, Parker, Shannon and Voigt—8.

Senator Knox introduced a bill "to incorporate the Contractors' Association."

Read first time and referred to Committee on Internal Improvements.

Upon motion of Senator Nelson, the Senate adjourned until to-morrow morning at 10 o'clock.

SENATE CHAMBER, }
October 25, 1866: }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Foscue, Chairman of Committee on Education, reports and recommends the passage of a House bill, supplementary to an act authorizing the disposition and sale of the University lands, approved August 30th, 1856.

Senator Voigt, for the Committee on Private Land Claims reports and recommends the passage of a bill for the relief of Mrs. Mary Benton.

Senator Braswell, Chairman of Committee on Internal Improvements, reports and recommends the passage of a House bill to incorporate the Trinity Valley Railroad Company.

Senator Stell introduced a bill to amend the Penal Code in relation to offences committed against live stock.

Read first time and referred to Committee on Stock and Stock Raising.